

### **REMARKS**

Claims 38-58 are pending in the present application. Also, Claims 1-37 were previously cancelled in a Preliminary Amendment. The Non-Final Office Action (OA) dated July 25, 2006 has rejected Claims 38-58. Claims 38, 39, 40, 52, and 58 are amended in this response. For the reasons discussed below and discussed in Applicants' previous responses which are incorporated herein, Applicants submit that the pending claims are patentable over the art of record.

#### **35 USC 102 Rejections**

Claims 38, 40-44, 47, 51-52, and 58 are rejected under 35 USC 102(b) as being anticipated by Speicher, US Patent No. 6,282,515. Applicants traverse these rejections.

Speicher does not disclose "employing the application program interface, on the client, to select one of a plurality of communication links to submit additional content over the selected one of the plurality of communication links, for association with the personal advertisement to a service provider for approval, wherein the additional content includes at least one of video or audio" and "wherein the client is associated with the particular user," as recited in amended Claim 38. The amendment to amended Claim 38 finds support in the Specification. See, e.g., p. 13-14, para. 0054; p. 15, para. 0056; p. 23-24, para. 0081-0084, 0086; p. 24; p. 35, para. 00116-00117.

First, Speicher does not disclose an application program interface on the client. Second, Speicher discloses an Interactive Voice Response System (IVR) cuing "the caller to record an audio greeting 812." However, the IVR is not a client associated with the particular user, as described by the Specification. The IVR is a system that communicates with a caller over a Public Telephone System (PTN) and over a telephone. See Speicher, Figure 1. In contrast, a client is enabled to employ an application program interface, which is a completely different approach than the IVR. See, e.g., Applicant's Figure 1 and corresponding discussion, p. 11, para. 0047.

Moreover, Speicher does not teach or suggest "employing the application program interface, on the client device, to select one of a plurality of communication links to submit

additional content over the selected one of the plurality of communication links,” as recited in amended Claim 38. As discussed above, the client is not an IVR. The IVR only enables submission of additional content via telephone. Via telephone is only one type of communication link and therefore does not teach or suggest a selected one of the plurality of communication links.

Amended independent Claims 52 and 58 recite similar, albeit different limitations as amended Claim 38. At least for similar reasons as for amended Claim 38, amended Claims 52 and 58 should also be in condition for allowance.

Amended Claim 39 has been amended to clarify that “the plurality of communication links include at least one of a telephone communication link or a camera coupled to the client.” As discussed above with respect to Claim 38, Speicher does not teach the plurality of communication links. Therefore, Claim 39 is not anticipated by Speicher.

Accordingly, the rejection of independent Claims 38, 52, and 58 under 35 USC 102(b) should be withdrawn. Additionally, dependent Claims 39-45, 48, 49, 51, 53, and 55-57 are neither anticipated nor obvious for at least the same reasons as respective independent Claims 38, 52, and 58, upon which they depend. Accordingly, the rejection of dependent Claims 39-45, 48, 49, 51, 53, and 55-57 should also be withdrawn.

### 35 USC 103 Rejections

Claims 38-40, 43-46, and 48-58 are rejected under 35 USC 103(a) as being unpatentable over Speicher in view of Liwerant et al (2002/0056123 hereinafter “Liwerant”).

Neither Speicher nor Liwerant, alone or in combination, teach or suggest amended Claim 38. The OA combines Speicher with Liwerant to suggest that “a browser-based email interface” may be used by the web browser of Speicher to submit additional content. However, even if there was a suggestion or motivation to combine the references, the combined references does not teach or suggest amended Claim 38’s limitation of “employing the application program

interface, on the client device, to select one of a plurality of communication links to submit additional content over the selected one of the plurality of communication links.”

As discussed above, Speicher does not teach “employing the application program interface ... to submit additional content over the selected one of the plurality of communication links.” Liewerant does not teach this feature, nor does the combination of Speicher and Liewerant teach this feature. At most, the references teach submitting the additional content via email, i.e., over only one type of communication link, and not over a selected one of the plurality of communication links.

Applicants note that for the 103 rejections, the OA chooses different features of Speicher to show that Speicher teaches or suggests the claimed invention. In particular, features of Speicher referenced by the OA on p. 3, refers to the web browser, and not to the IVS. However, under either application of Speicher, Speicher does not teach or suggest “over the selected one of the plurality of communication links.”

At least for these reasons, amended Claim 38 is not made obvious by Speicher in view of Liewerant. Amended independent Claims 52 and 58 recite similar, albeit different limitations as amended Claim 38. At least for similar reasons as for amended Claim 38, amended Claims 52 and 58 should also be in condition for allowance. Moreover, dependent claims 39-51, 53-57 depend from amended Claims 38 and 52 respectively, and should be allowed for similar reasons as for their independent claims.

## CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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